

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE; and
MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF HOMELAND SECURITY, *et al.*,

Defendants.

Civil Action No. 1:20-cv-11283-ADB

**MOTION FOR LEAVE TO FILE
AMICUS CURIAE BRIEF OF 26
CITIES, TOWNS, AND COUNTIES IN
SUPPORT OF PLAINTIFFS’
MOTION FOR PRELIMINARY
INJUNCTION**

The City of Los Angeles and City of Boston, joined by 24 other cities, towns, and counties, respectfully move the Court for leave to file a proposed brief as *amici curiae* in support of Plaintiffs’ Motion for a Temporary Restraining Order or Preliminary Injunction. Plaintiffs’ motion seeks a preliminary injunction enjoining Defendants from enforcing Immigration and Customs Enforcement’s (“ICE”) July 6, 2020 directive and from promulgating the July 6th directive as a final rule.

Specifically, *amici* are: the City of Los Angeles, California, the City of Boston, Massachusetts, the City of Albany, New York; the City of Albuquerque, New

Mexico; the City of Alexandria, Virginia; the City of Austin, Texas; the City of Berkeley, California; the City of Cambridge, Massachusetts; the County of Cameron, Texas; the City of Chicago, Illinois; the City of Columbus, Ohio; Cook County, Illinois; the City Dayton, Ohio; the Town of Durham, New Hampshire; the City of Hartford, Connecticut; the City of Iowa City, Iowa; the City of Las Cruces, New Mexico; the City of New York, New York; the City of Oakland, California; the City of Pittsburgh, Pennsylvania; the City of Sacramento, California; the City of Saint Paul, Minnesota; the City of Seattle, Washington; the County of Santa Clara, California; the City of Amherst, Massachusetts; and the City of Somerville, Massachusetts.

Amici hail from all areas of the country: from rural farming communities to industrial cities to large, urban metropolises. *Amici* also represent a cross-section of municipalities with a spectrum of economic, political, and cultural perspectives. Colleges and universities of every type, and of every culture, from large state colleges to private research institutions to local commuter schools call *amici* home. And *amici* are already witnessing the impacts of the directive issued by ICE on July 6, 2020.

At their fundamental core, local governments exist to provide for the health (e.g. public health services during the COVID-19 pandemic) and welfare of their residents. The proposed *amicus* brief is intended to offer to the Court the perspective of municipalities who are home to both institutions of higher education and their international students. The brief highlights the substantial interests that

amici have in the proposed rule announced via the July 6th directive and the significant impacts to local governments that ICE has thus far failed to consider.

The proposed brief for *amici curiae* is attached as Exhibit 1.

Respectfully submitted,

Amicus Curiae, CITY OF LOS ANGELES, *Amicus Curiae*, CITY OF BOSTON,

Michael N. Feuer,
City Attorney

Eugene O’Flaherty,
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By his attorneys,

/s/ Michael J. Dundas
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LOCAL RULE 7.1(b) CERTIFICATION

I hereby certify that counsel for amicus curiae did confer with counsel for the parties in a good faith effort to narrow or resolve the issues in this motion. Plaintiffs consent to *amicus's* request. Defendant takes no position on the motion for leave.

/s/ Adam Cederbaum
Adam Cederbaum

CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2020, I caused the foregoing motion to be electronically filed with the Clerk of the Court using the CM/ECF system. All participants in the case are registered CM/ECF users and will be served by the CM/ECF system.

/s/ Adam Cederbaum
Adam Cederbaum